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31353 U.S. PTO  
10/758002



13281 U.S. PTO

Date: January 16, 2004

Docket No.: 0171-1055P

**MS PATENT APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/854,588 filed on May 15, 2001,  
the entire contents of which are hereby incorporated by  
reference,  
by

Kazuo SAITO; Toshiharu OKAMOTO; Atsushi HAGIWARA and Ayumi  
HORIUCHI

for

METHOD OF PRODUCING FUEL CELL SEPARATOR, FUEL CELL SEPARATOR AND  
POLYMER ELECTROLYTE FUEL CELL

- ✓ 1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).



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2. ☒ The filing fee has been calculated as follows:

		LARGE ENTITY	SMALL ENTITY
BASIC FEE		\$770.00	\$385.00
NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	18-20 = 0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	8-3 = 5	x 86 = \$430.00	x 43 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		+ \$290.00	+ \$145.00
TOTAL		\$1,490.00	\$0.00

3. ☒ A check in the amount of \$1,490.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are three (3) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/854,588 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Nisshinbo Industries, Inc.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 2000-141557 filed in Japan on May 15, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on May 15, 2001.
- 9b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_

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Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.


10. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:
- BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
or  
Customer No. 02292
12. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/854,588 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Gerald M. Murphy, Jr., #28,977

  
GMM/RG/csm  
0171-1055P

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Attachment(s)

(Rev. 10/30/03)